

**RECEIVED
CENTRAL FAX CENTER**

AUG 15 2006

Attorney Docket No. 2001P04227US01**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Inventor(s): Tong et al.

Appln. No.: 09/924,620

Title System And Method For Rate
 Adaptation In A Wireless
 Communication System

Filing date: August 7, 2001

Group: 2616

Examiner: Richard Chang

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**CERTIFICATE OF EXPRESS MAIL,
MAILING OR FACSIMILE TRANSMISSION**

The undersigned hereby certifies that this correspondence is ☐ being deposited under Express Mail Label No. _____ on the date given below; or under 37 CFR 1.8 ☐ being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to Mail Stop _____, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date given below, or ☒ being facsimile transmitted to the U.S. Patent and Trademark Office at the fax number and date given below:
Facsimile Number: 571-273-8300, No. of Pages: 2

Date of Deposit or Transmission: Aug 15 2006By: Peggy Simmons
Peggy Simmons**REQUEST FOR CONTINUED EXAMINATION (RCE) UNDER 37 C.F.R. §1.114**

Sir:

Applicant hereby requests continued examination, in accordance with 37 C.F.R. §1.114, for the above-identified application.

TIME REQUEST IS BEING MADE

1. Prosecution on this application being closed (under either appeal, final action, notice of allowance, or other prosecution closing action), this request is being submitted prior to the earliest of:

- i. ☒ Abandonment of the application.
- ii. ☐ Payment of issue fee, or
- iii. ☐ Issue fee has been paid but a petition under 37 C.F.R. §1.313 has been granted.
Filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. §1.313, or commencement of a civil action under 35 U.S.C. 145 or 146, unless the appeal or civil action is terminated.
- iv. ☐ A decision on appeal to the Board of Patent Appeals & Interferences (this RCE is to be treated as a request to withdraw the appeal and to reopen prosecution of the application) - A notice is being separately sent to the Board of Patent Appeals & Interferences that this RCE is being filed.

08/16/2006 NNGUYEN1 00000015 192179 09924620

1 of 2

01 FC:1801 799.00 DA

**RECEIVED
CENTRAL FAX CENTER**

AUG 15 2006

SUBMISSIONS AND ENCLOSURES

2. Enclosed herewith is/are:
- i. ☐ A Petition for Extension of Time for () months.
- ii. ☐ Please do not enter the previously unentered Amendment. Instead please enter:
- ☐ the enclosed Amendment in response to the Final Office Action mailed
- ☐ the enclosed Preliminary Amendment.
- ☐ correspondence re correction of inventorship if required.
- iii. ☒ Please enter the previously unentered Amendment previously submitted 07/07/2006.
- A copy ☐ is or ☒ is not provided herein.
- iv. ☐ An Information Disclosure Statement (37 C.F.R. §1.98) with PTO-1449 and references.
- v. ☐ New arguments or new evidence in support of patentability.
- vi. ☐ Other:

FEE FOR REQUEST REQUIRED BY 37 C.F.R. §1.17(e)

3. ☒ Filing fee has been calculated as shown below (other than small entity) after entering the previous amendment and/or currently submitted amendment as may be applicable:


	Current Claims Pending Minus Highest No. Previously Paid For	No. Extra	Rate	Fees
Total Claims	14 -20	= 0	x \$50 =	\$0.00
Indep. Claims	5 - 6	= 0	x \$200 =	\$0.00
<input type="checkbox"/> Multiple Dependent Claims Present			+ \$300 =	\$0.00
Basic filing fee				\$790.00
Total				\$790.00

4. ☒ Please charge Deposit Account No. 19-2179 in the amount of \$790.00. The Commissioner is hereby authorized to charge any fees that may be required for filing this paper or during the pendency of this application, or credit any overpayment, to Deposit Account No. 19-2179 pursuant to 37 C.F.R. §1.25. A duplicate copy of this sheet is enclosed.

PLEASE MAIL CORRESPONDENCE TO:

Siemens Corporation
Customer No. 28524
Attn: Elsa Keller, Legal Administrator
170 Wood Avenue South
Iselin, NJ 08830

Respectfully submitted,


Anand Sethuraman, Reg. No. 43,351
Attorney(s) for Applicant(s)
Telephone: 650-943-7554
Date: 8/14/06